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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**
14

15 KATHLEEN HANNI, individually and on
behalf of all others similarly situated,

16 Plaintiff,

17 vs.

18 AMERICAN AIRLINES, INC., and DOES 1
19 through 20, inclusive,

20 Defendants.
21

CASE NO. C08-00732 CW

**APPLICATION FOR ORDER
SHORTENING TIME AND TO EXTEND
HEARING DATE BY DEFENDANT
AMERICAN AIRLINES, INC.**

Civil Local Rule 6-1(b)

22 Pursuant to Civil Local Rule 6-1(b), defendant American Airlines, Inc. ("American")
23 hereby moves for an order shortening time ("Order") on its Motion for Leave to File an Amended
24 Notice of Removal ("Motion for Leave"), filed with this Court on March 19, 2008 and currently
25 set for hearing on April 24, 2008, and requests that the Motion for Leave be heard by this Court on
26 April 3, 2008 at 2:00 p.m. An order shortening time is necessary in this instance because plaintiff,
27 Kathleen Hanni ("Hanni"), currently has scheduled a hearing on her Motion to Remand for April
28 24, 2008. American also reset its Motion to Dismiss from the original hearing date of March 27,

1 2008 to April 24, 2008 so that the Motion to Dismiss can be heard concurrently with Hanni's
2 Motion to Remand for the efficiency of all parties involved.

3 This Order is requested because as part of its opposition brief to plaintiff's Motion to
4 Remand, American would like to introduce the additional factual information offered in
5 American's proposed Amended Notice of Removal, specifically, plaintiff's counsel Paul Hudson's
6 settlement demand letter to American dated March 3, 2008 ("Settlement Demand"). This will
7 enable American to fully brief this Court on the relevant facts that confer it jurisdiction over this
8 case. Jie-Ming Chou, counsel for American, called plaintiff's counsel, David Ramos, and
9 requested his stipulation to this Order and proposed a briefing and hearing schedule on the Motion
10 for Leave that would allow the April 24, 2008 hearing dates to stand unaffected, but despite
11 several attempts was unable to obtain a stipulation. See Declaration of Jie-Ming Chou, ¶¶ 2-5
12 ("Chou Declaration").

13 Due to the timing requirements of Local Rule 6-3 and American's inability to obtain Mr.
14 Ramos stipulation to the original shortened briefing and hearing schedule, American proposes to
15 move the hearing date on American's Motion to Dismiss to May 1, 2008 to accommodate the
16 timing requirements of this Order and the requested April 3, 2008 hearing on its Motion for Leave.
17 American requests that the Court also move plaintiff's Motion to Remand to be heard on May 1,
18 2008 as well. With that revised schedule, the Court will be able to rule on American's Order and
19 Motion for Leave prior to the deadline for American to file its opposition brief to the Motion to
20 Remand, which would also be on April 3, 2008 for an April 24, 2008 hearing. If the hearing on
21 plaintiff's Motion to Remand is moved to May 1, 2008, American will be required to file its
22 opposition brief on April 10, 2008 pursuant to Civil Local Rule 7-3. This would give American a
23 week to prepare its opposition brief after the Court rules on American's Motion for Leave.

24 Since the additional factual information contained in the Settlement Demand may likely
25 impact the Court's consideration of Hanni's Motion for Remand, American's ability to file an
26 Amended Notice of Removal should be determined prior to the date on which American must file
27 its opposition brief. American therefore respectfully requests the following shortened briefing and
28 hearing schedule for its Motion for Leave:

- a. March 27, 2008 – deadline for plaintiff to file opposition brief
- b. April 1, 2008 – deadline for American to file reply brief
- c. April 3, 2008 at 2:00 p.m. – hearing on American's Motion for Leave

American also informs this Court that on Monday, March 17, 2008, American filed a Motion for Leave to File an Amended Notice of Removal in the United States District Court for the Western District of Arkansas, Fayetteville Division, in the case of *Ray v. American Airlines Inc.*, Case No. 08-5025, an identical class action filed against American by plaintiff's counsel, Paul Hudson, on the exact same basis as American's Motion for Leave in this case. The Arkansas Western District Court granted American's Motion for Leave to File an Amended Notice of Removal yesterday, March 19, 2008. See Exhibit 2 to Chou Declaration.

For the reasons stated above, American respectfully requests that the Court grant its Application for an Order Shortening Time so that all motions filed by Hanni and American that are currently before the Court can be heard as expeditiously as possible and to further the efficient administration of the Court's resources.

DATED: March 20, 2008

COOPER, WHITE & COOPER LLP

By: 

Jie-Ming Chou

Attorneys for Defendant American Airlines, Inc.

PROOF OF SERVICE

I am a resident of the State of California. I am over the age of eighteen years, and not a party to this action. My business address is 201 California Street, Seventeenth Floor, San Francisco, California 94111-5002.

On March 20, 2008, I served the following document(s):

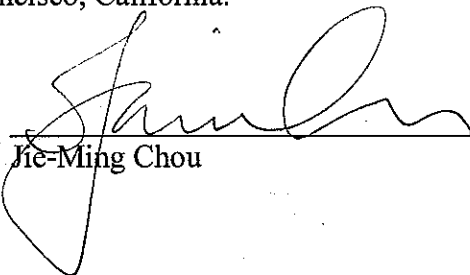
APPLICATION FOR ORDER SHORTENING TIME AND TO EXTEND HEARING DATE BY DEFENDANT AMERICAN AIRLINES, INC.; DECLARATION OF JIE-MING CHOU IN SUPPORT OF DEFENDANT AMERICAN AIRLINES, INC.'S APPLICATION FOR ORDER SHORTENING TIME AND TO EXTEND HEARING DATE; and [PROPOSED] ORDER GRANTING APPLICATION FOR ORDER SHORTENING TIME AND TO EXTEND HEARING DATE BY DEFENDANT AMERICAN AIRLINES, INC.
on each of the parties listed below at the following addresses:

Paul Hudson
Law Offices of Paul S. Hudson P.C.
4411 Bee Ridge Road #274
Sarasota, Florida 34233

BY FIRST CLASS MAIL: I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business. On the date specified above, as to each of the parties identified in the above service list, a true copy of the above-referenced document(s) were placed for deposit in the United States Postal Service in a sealed envelope, with postage fully prepaid; and on that same date that envelope was placed for collection in the firm's daily mail processing center, located at San Francisco, California following ordinary business practices.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 20, 2008, at San Francisco, California.


Jie-Ming Chou